



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Montelaro et al.
Serial No. : 09/785,058 Gr. Art Unit: 1653
Filed : February 16, 2001 Examiner: Liu, Samuel W
For : VIRUS DERIVED ANTIMICROBIAL PEPTIDES

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RESPONSE TO RESTRICTION

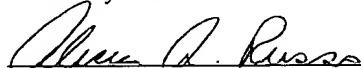
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May 30, 2003

Date of Deposit

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PTO Registration No

May 30, 2003

Date of Signature

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement dated May 2, 2003, please consider the following remarks.

The Examiner alleges that the claims of the above-referenced application are directed to the following three distinct inventions:

Group I: Claims 1-44, drawn to the peptide and a composition comprising the peptide, classified in class 530, subclass 300;

Group II: Claims 45-46 and 49-50, drawn to a method of *in vitro* inhibiting microbial growth comprising administering to a subject that peptide, classified in class 514, subclass 2, class 424, subclasses 409 and 9.322; and

Group III: Claims 47-50, drawn to a method of *in vivo* inhibiting microbial growth comprising administering to a subject the peptide, classified in class 514, subclass 2, class 424, subclasses 409 and 9.322.

Applicants elect to pursue the claims of Group I in the present application without traverse and without prejudice to pursuing the claims of the remaining groups in one or more divisional applications.

In view of the remarks made herein, Applicants respectfully submit that the claims are presently in condition for allowance. Favorable consideration of this application is therefore earnestly solicited.

Respectfully submitted,



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